



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,500	03/11/2004	Jeffrey W. Small	G&C 30566.86-US-D1	6384

55895 7590 01/10/2007
GATES & COOPER LLP
HOWARD HUGHES CENTER
6701 CENTER DRIVE WEST, SUITE 1050
LOS ANGELES, CA 90045

EXAMINER

BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
----------	--------------

2176

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/798,500

Applicant(s)

SMALL, JEFFREY W.

Examiner

William L. Bashore

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/11/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: original application filed 3/11/2004, said application is a divisional of application 09/484,772 (pending), with filing date of 1/18/2000. IDS filed 3/11/2004.
2. Claims 1-4 pending. Claim 1 is independent.

Specification

3. The disclosure is objected to because of the following informalities: Page 1 lines 3-5 of specification needs amendment removing reference to attorney docket number. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spyglass Prism Concepts and Applications (hereinafter Spyglass), 1997 Spyglass, Inc., pages 1-8.**

In regard to independent claim 1, Spyglass teaches a proxy server for customizing Web pages in order to conform to constraints of multiple non-PC output devices (Spyglass page 2 – at top). Web pages typically contain illustrations, drawings, etc., as evidenced by the Web page at Spyglass page 7, showing a map of Chicago (a form of drawing). Although Spyglass does not forcefully disclose its application as a “graphics” program, nevertheless, Spyglass’s editing and customizations of Web images (see Spyglass page 5) provides

reasonable suggestion to one of ordinary skill in the art at the time of the invention that Spyglass entails graphical editing, providing the benefit of such editing for Web pages containing images (compare with claim 1 *“A computer implemented method for associating multiple output devices with a drawing in a computer-implemented graphics program comprising:”*).

Spyglass teaches a user logging on to the Spyglass server, said server looks for a Web page (i.e. drawing) via user requested URL within its cache. If its stored page is already converted (a first layout), said server selects said page on behalf of the user (Spyglass page 2, and page 3 section “Caches content”, and page 5 – top paragraph; compare with claim 1 *“selecting a first layout of said drawing;”*).

Spyglass teaches a “Device Database” which stores various device information and conversion characteristics for conversion purposes (Spyglass page 2, 4). Spyglass references this database accordingly (compare with claim 1 *“selecting a first output device; selecting a first output device configuration;”*).

Spyglass teaches fetching from its cache a Web page which has already been converted for a specific output device (Spyglass page 5 – top paragraph). In order to recognize the correct converted page (layout), Spyglass must know the intended output device with its device configuration, therefore an association exists accordingly (compare with claim 1 *“associating said first layout with said first output device and said first output device configuration;”*).

Spyglass teaches a user logging on to the Spyglass server using a different device, said server looks for a Web page (i.e. drawing) via user requested URL within its cache. If its stored page is already converted (a first layout), said server selects said page on behalf of the user (Spyglass page 2, and page 3 section “Caches content”, and page 5 – top paragraph; compare with claim 1 *“selecting a second layout of said drawing;”*).

Spyglass teaches a “Device Database” which stores various device information and conversion characteristics for conversion purposes (Spyglass page 2, 4). Spyglass references this database accordingly (compare with claim 1 *“selecting a second output device; selecting a second output device configuration;”*).

Spyglass teaches fetching from its cache a Web page which has already been converted for a specific output device (Spyglass page 5 – top paragraph). In order to recognize the correct converted page (layout),

Spyglass must know the intended output device with its device configuration, therefore an association exists accordingly (compare with claim 1 “*associating said second layout with said second output device and said second output device configuration;*”).

In regard to dependent claim 2, Spyglass teaches an administration section comprising a forms based interface for entering and configuring subscribers, device descriptions, and conversion routines (Spyglass page 6 section “Administration and Logging”).

In regard to dependent claim 3, Spyglass teaches a conversion script for customizing according to device parameters, said conversion script associated with particular selected devices (Spyglass page 5 – especially at middle, and page 6).

In regard to dependent claim 4, Spyglass teaches a cache containing names of unconverted and unconverted Web pages (Spyglass page 5 – top paragraph). In order to fetch the correct page, Spyglass must know its intended output device, along with its configuration (typically referenced as a name and/or ID number, Spyglass pages 2, 4 – Device Database), therefore Spyglass saves device names, configurations, and Web pages (drawings).

Since various output devices, such as TVs, phones, pagers, PDAs, etc. each display content accordingly, it is well within reason to interpret a typical output device to encapsulate additional configuration information tailored to the display of said content, therefore it would have been obvious to one of ordinary skill in the art at the time of the invention for said output device to contain additional information within said device, providing the benefit of devices capable of faithfully rendering a Web page from a data stream accordingly.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 1:00pm - 9:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER

January 7, 2007